



MAY 14 2019

FINANCE

NOTICE OF APPEAL INFORMATION

Austin City Code 25-1-461 (Appeal Process on Page 2)

Address of Property in Question 1701 Toomey Road	Permit Number 1991-0107578P 1997-014303 BP
Appellant Filing Appeal Stuart Hersh	Relationship to Property Certificates of Occupancy
Appellant's Status as Interested Party Consultant to Owner Since 2013	Issued in 1991 and 1997
Appellant Contact Information	Permit Holder Contact Information
Name Stuart Hersh	Name Casa de Luz
Street 6703 Woodhue Drive	Street 1701 Toomey Road
City Austin	City Austin
State TX	State TX
Zipcode 78745	Zipcode 78704
Telephone 512-587-5093	Telephone 512-535-0105
E-Mail shersh@austin.tx.gov	E-Mail wayo2@me.com
Date of Decision Being Appealed 5/10/19	Date Appeal is Filed 5/14/19
Decision Being Appealed (use additional paper as required): Suspension of certificates of occupancy based on lack of fire department equipment access (Fire Code)	
Reason the appellant believes the decision does not comply with the requirements of the Land Development Code (Title 25) Connection of sprinkler system is an acceptable alternate method of compliance to fire department equipment access	
BELOW FOR CITY USE ONLY	
Hearing Date:	Board or Commission:
Action on Appeal	Date of Action

The applicant must complete page 1 of 2 and sign before this application of appeal is complete. The application will not be processed unless the applicant reads and signs page 2.



APPEAL PROCESS

You may appeal this "STOP WORK ORDER," "REMOVE OR RESTORE," "REVOCATION" or "SUSPENSION OF PERMIT" in accordance with Land Development Code section 25-1-461 by following these requirements:

§ 25-1-461 APPEAL

(A) A person may appeal a stop work order, remove or restore order, revocation, or suspension issued under this division by giving written notice to the accountable official not later than the third day after:

- (1) The stop work order or remove or restore order is posted; or
- (2) The person receives notice of the revocation or suspension.

(B) The notice of appeal must contain:

- (1) The name and address of the appellant;
- (2) A statement of facts;
- (3) The decision being appealed; and
- (4) The reasons the decision should be set aside.

(C) The accountable official shall hear the appeal not later than the third working day after the appeal is filed. The appellant, the appellant's expert, and the department may offer testimony to the accountable official.

(D) The accountable official shall affirm or reverse the department's decision not later than the second working day after the hearing. The official shall give written notice of the decision and a statement of the reasons for the decision to the appellant.

(E) The appellant may appeal the accountable official's decision to the Land Use Commission or appropriate technical board by giving written notice to the accountable official and the presiding officer of the Land Use Commission or appropriate technical board not later than the third working day after receiving notice of the decision. The notice of appeal must contain the information described in Subsection (B).

(F) The Land Use Commission or appropriate technical board shall hear the appeal at the next regularly scheduled meeting following receipt of the notice of appeal. An appeal is automatically granted if the Land Use Commission or appropriate technical board does not hear the appeal before the 21st day following receipt of the notice of appeal.

(G) A stop work order, remove or restore order, suspension, or revocation remains in effect during the pendency of an appeal under this section.

Source: Section 13-1-69; Ord. 990225-70; Ord. 010607-8; Ord. 031211-11.

By signing this document, I attest to having read and understand my rights as granted by the Land Development Code for the process for appealing a stop work order, remove or restore order, revocation, or suspension.

Signature:

Date:

5/14/19